

**REMARKS**

Prior to this Amendment and Response, original claims 1-20 were pending in the Application. Herein, claims 2, 4, 7, 9-11, 13-18, and 20 were amended; claims 1, 6, 8, and 16 were cancelled; and claims 21-24 were added. Therefore, upon entry of the Amendment, claims 2-6, 7, 9-15, and 17-24 will remain pending in the Application. Allowance of the pending claims is respectfully requested.

**Drawings**

In the Office Action, the Examiner objected to the Drawings stating that they were not fully legible. In response, Replacement Drawings are submitted herewith in accordance with the Revised Format for Amendments (dated 1/31/03). Applicants state that no new matter has been added through the Replacement Drawings, and that no material changes have been made. Applicants respectfully suggest that this ground for objection has been overcome, but are willing to supplement this response further as required by the Examiner.

**Claim Rejections – 35 U.S.C. §112**

In paragraph 1 of the Office Action, the Examiner rejected claims 2, 10, and 14 under 35 U.S.C. §112, second paragraph, stating that the claims connection to a standard or protocol was inappropriate because the standard or protocol is subject to change over

time. Without conceding the deficiency of the claims as originally submitted, Applicants have in response amended claims 2, 10, and 14 to instead refer to a "contention period" and a "contention-free period", as suggested by the Examiner.

In paragraph 2 of the Office Action, the Examiner rejected claim 14 under 35 U.S.C. §112, second paragraph, because it included the term "operable generally pursuant". Again, without conceding the deficiency of the claim as originally submitted, Applicants have in response amended claim 14 to define more definitely the operating environment for the radio communication system.

In paragraph 3 of the Office Action, the Examiner rejected claim 14 under 35 U.S.C. §112, first paragraph, because it refers to the IEEE 802.11 standard. In response, Applicants suggest that the amendments made to claim 14 and noted above overcome this ground for rejection as well.

Applicants respectfully suggest that this ground for rejection has been overcome by the Amendments described above and request that the claims as amended be allowed to issue.

### **Specification**

In the Office Action, the Examiner noted that the IEEE 802.11 standard has not been provided in the Application. No action appears to be required. Applicants note, however, that the well-known IEEE 802.11 operating environment is simply one environment where the present invention may be advantageously implemented.

**Claim Rejections – 35 U.S.C. §102**

In the Office Action, the Examiner rejected claims 1, 8, 10-12, 14-17, and 20 under 35 U.S.C. §102 as being anticipated by *Raissinia et al.* (U.S. Patent No. 6,408,165). In response, Applicants have cancelled claim 1, and amended claim 17. Amended claim 17 recites the limitations of original claims 8 and 9, which are not found in *Raissinia et al.* Applicants respectfully suggest that this ground for rejection of claim 17 has thereby been overcome.

In addition, Applicants note that while claims 8, 10-12, 14-16, and 20 are also listed under this section (§102) heading, the Office Action makes it clear that at least some of the elements of these claims are not found in *Raissinia et al.* Applicants therefore respectfully suggest that this ground for rejection is inappropriate as to these claims 8, 10-12, 14-16, and 20. Applicants note, however, that claims 8 and 16 have been cancelled, claim 20 is dependent from claim 17 (amended as discussed above), and claims 10-12 and 14-15 now depend from amended claim 9, which is discussed below.

**Claim Rejections – 35 U.S.C. §103**

In the Office Action, the Examiner rejected claims 2-4 and 18-19 under 35 U.S.C. §103 as being unpatentable over *Raissinia* in view of *Krisnakumar et al.* (U.S. Patent No. 6,014,087). In response, Applicants note that claims 2-4 now depend from claim 9,

which contains features not found in either of these references. Likewise, claims 18-19 depend from claim 17, which as mentioned above has been amended to include these features of claim 9, namely that the transmit power indication signal is generated at selected intervals and broadcast as part of the beacon signal. In view of these amendments, Applicants respectfully suggest that this ground for rejection of claims 2-4 and 18-19 has been overcome.

In the Office Action, the Examiner rejected claims 5-7, 9 and 13 under 35 U.S.C. §103 as being unpatentable over *Raissinia* in view of *Krisnakumar et al.* and further in view of *Gourgue* (U.S. Patent No. 5,564,075) and *Larsson et al.* (U.S. Patent No. 5,241,690). In response, Applicants note that claims 5-7 are dependent from claim 4, and are therefore distinguishable from the cited prior art for the reasons provided above. Likewise, claim 13 depends from claim 10, which has been amended to depend from claim 9 and is therefore distinguishable for the same reasons. Claim 9 itself has been amended to include the limitation that the broadcast transmit power indication signals are broadcast as part of the beacon signals, a feature not taught by *Gourgue*, which instead relies on a dedicated broadcast channel that is not necessarily available (and certain not used) by a system operating according to the method and apparatus of the present invention. Applicants respectfully suggest that this ground for rejection of claim 9 has been thereby overcome.

Claims 21-24 have been added. Dependent claim 21 further defines that the transmit power indication signal transmitted as part of the beacon signals (of claim 17), is

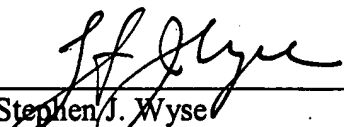
transmitted as a field within a beacon-frame body of the beacon signals (similar to the definition added by currently amended claim 13). Independent claim 22 is similar to independent claims 9 and 17, but also contains the novel feature that the transmit power indication signal varies according to whether it is to be transmitted during a contention period or a contention-free period. Claims 22-24 depend from claim 21 and therefore contain this feature as well.

In light of the foregoing, the pending claims are believed to be in condition for allowance. Accordingly, examination and allowance of pending claims 2-7, 9-12, and 14-23 is respectfully requested.

Respectfully submitted,

Scheef & Stone, L.L.P.

Date: 24 MAR 2003

  
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Stephen J. Wyse  
Registration No. 40,880

5956 Sherry Lane, Suite 1400  
Dallas, Texas 75225  
Telephone: (214) 706-4200  
Facsimile: (214) 706-4242  
E-mail: [stephen.wyse@scheefandstone.com](mailto:stephen.wyse@scheefandstone.com)